

Nepal suggested internationalising border blockade

Published: December 03, 2015 10:13 am On: [Nepal](#)

LEKHANATH PANDEY

KATHMANDU: Nepal has to make a strong case against India's trade blockade at international judicial and quasi-judicial bodies, Surya Subedi, an international law professor, said on Wednesday.

Presenting a paper at a seminar organised by the Global Policy Forum for Nepal (GPFN) in the Capital, Prof. Subedi, however, made it clear that only the issue of blockade should be raised in international forums.

The GPFN is an initiative of the leading Nepali intellectuals currently residing abroad, recently formed in order to highlight Nepal's problems and concerns in global platforms.

"We must not take up our domestic issues and problems at any international forums," Prof Subedi said "Neither should we mismatch domestic issues with legal aspect of blockade while seeking justice internationally."

He said that by imposing the trade embargo, India has violated several international laws, including the UN Convention on Law of Sea, Convention on Transit Trade of Land-Locked States as well as other bilateral treaties and customs.

"It is a state of blockade, whether its official or unofficial, de facto or partial blockade," he stated noting that merely less than 15 per cent of petroleum products and other essentials are coming from India to Nepal.

The professor of international law at the University of Leeds, UK also advised Nepali authorities to prepare a well-articulated document supported by evidences, data to make a strong case in international forums like the World Trade Organisation (WTO) and the International Tribunal for the Law of Sea to ensure Nepal's transit rights as a land-locked country.

He also suggested that Nepal should not hesitate to internationalise the issue by considering a fear of India. "By urging international judicial or quasi-judicial bodies against India, we do not mean to rile India," he added.

Subedi further said that India's blockade was also the violation of Nepal-India bilateral treaties, including the Peace and Friendship Treaty of 1950. Professor of international law at the University of Sweden, Katak Malla suggested that the Government of Nepal has to send a letter to India before making a case of the blockade in international judicial and quasi-judicial bodies.

He opined that adopting a legal approach is also a diplomatic way to find the solution of the current problems with India.